

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	§	CASE NO. 13-64673-MGD
	§	
ANNE PETERS,	§	
Debtor	§	CHAPTER 13
	§	
WELLS FARGO BANK, N.A.,	§	
Movant	§	CONTESTED MATTER
	§	
v.	§	
	§	
ANNE PETERS,	§	
MARY IDA TOWNSON, Trustee,	§	
Respondents	§	

DELINQUENCY/DEFAULT MOTION OF  
WELLS FARGO BANK, N.A.  
SEEKING ORDER FOR RELIEF FROM STAY

COMES WELLS FARGO BANK, N.A. (hereinafter "Movant") and files this its *Delinquency/Default Motion of Movant Seeking Order for Relief from Stay* in accordance with that certain Order of Court entered on July 28, 2015 (Docket # 56), showing this Honorable Court as follows:

1.

On or about July 28, 2015, this Honorable Court entered an Order requiring the Debtor to make payments to Movant as they fall due, plus pay an additional amount so as to cure certain post-petition arrearages. A copy of said Order is attached hereto as Exhibit "A".

2.

The Debtor failed to make payments and the account, as of the date of the attached affidavit, was due for the April 1, 2017 through June 1, 2017 regular post-petition payments in the amount of \$753.90 each.

3.

Pursuant to the Order, Movant sent Debtor, Counsel for Debtor and Trustee written notice to cure the delinquency. Debtor failed to sure the delinquent payments within 10 days as required by the Order. A copy of the Notice of Default sent to Debtor, Counsel for Debtor and Trustee is attached hereto as Exhibit "B".

4.

In accordance with the Order, upon default, Movant may file a motion containing specific allegations of the delinquency, a copy of the Delinquency Notice sent pursuant to the Default Paragraph and a proposed order. An affidavit setting forth the default may also be attached and such affidavit is attached hereto as Exhibit "C". Upon presentation to the Court, the Court may enter an order modifying the automatic stay without hearing.

WHEREFORE, Movant prays that this Honorable Court enter an order granting relief from stay.

Respectfully submitted,

BARRETT DAFFIN FRAPPIER  
LEVINE & BLOCK, LLP

BY: /s/ Brandi R. Lesesne  
BRANDI R. LESESNE  
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ATTORNEY FOR Movant

**CERTIFICATE OF SERVICE**

This is to certify that I have this date served a copy of the within and foregoing *Delinquency/Default Motion of Movant Seeking Order for Relief From Stay and Proposed Order* via electronic means as listed on the Court's ECF noticing system or by regular first class mail by depositing same in the United States mail in a properly addressed envelope with adequate postage thereon to insure delivery upon the following:

DEBTOR:

**Anne Peters**  
135 Blue Heron Lane  
Alpharetta, GA 30009

TRUSTEE:

**Mary Ida Townson**  
Chapter 13 Trustee  
Suite 2200  
191 Peachtree Street, NE  
Atlanta, GA 30303-1740

DEBTOR'S ATTORNEY:

**Leonard R. Medley, III**  
Medley & Associates, LLC  
Suite 1450  
2727 Paces Ferry Road  
Atlanta, GA 30339

This 28th day of June, 2017.

BARRETT DAFFIN FRAPPIER  
LEVINE & BLOCK, LLP

BY: /s/ Brandi R. Lesesne

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